



Attorney's Docket No. 035722/238390(5722-2A)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: C. Allen Black, Jr.
Appl. No.: 09/956,998
Filed: 9/20/01
For: COMPOSITIONS AND METHODS FOR ACTIVATING GENES OF INTEREST

Confirmation No.: 3518
Group Art Unit: 1635
Examiner: S. McGarry

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**SUBMISSION OF TERMINAL DISCLAIMER
UNDER 37 C.F.R. § 1.321(c)**

Applicant hereby submits the enclosed Terminal Disclaimer Under 37 C.F.R. § 1.321(c) for the above referenced application. Also enclosed is a Credit Card Payment Form authorizing payment in the amount of \$55.00 for a small entity [37 C.F.R. § 1.20(d)] to cover the fee for filing a Terminal Disclaimer. The Examiner is authorized to charge Deposit Account No. 16-0605 for any additional fee that may be required or credit any overpayment.

Respectfully submitted,

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I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to:
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Pamela Lockley



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TERMINAL DISCLAIMER UNDER 37 C.F.R. 1.321(c)

The disclaimant, C. Allen Black, the sole inventor, having a principal place of business at 117 Parkcrest Drive, Cary, NC 27519, verifies that he is the owner of all right, title, and interest in the above-identified application.

The disclaimant hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of United States Patent No. 6,323,003, issued 11/27/2001, entitled Compositions And Methods For Activating Genes Of Interest.

Disclaimant further agrees that any patent so granted on the above-identified application, which is the subject of this disclaimer, shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,323,003, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors, or assigns.

Nothing herein shall be construed as a disclaimer of any terminal part of any patent granted on the above-identified application which is prior to the expiration of the full statutory term of U.S. Patent No. 6,323,003 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(c), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

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Page 2

Date: 5/27/04

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